

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JEAN NOLAN,

Plaintiff,

v.

1818 COMO PARK BOULEVARD OPERATING
CO., LLC AND ELDERWOOD ADMINISTRATIVE
SERVICES LLC,

Defendants.

Civil Action No. 1:15-cv-99

**STIPULATION AND
PROPOSED ORDER**

WHEREAS, Plaintiff Jean Nolan (Plaintiff) filed a sealed Complaint in this matter on February 3, 2015, which was docketed as ECF No. 1, and which asserted claims on behalf of the United States under the federal False Claims Act, 31 U.S.C. § 3729, et seq., and on behalf of the State of New York under the New York False Claims Act, N.Y. State Fin. Law. § 187, et. seq., and for retaliation under 31 U.S.C. § 3730(h);

WHEREAS, Plaintiff filed a sealed First Amended Complaint in this matter on October 7, 2016, which was docketed as ECF No. 16, and which likewise asserted claims on behalf of the United States under the federal False Claims Act, 31 U.S.C. § 3729, et seq., and on behalf of the State of New York under the New York False Claims Act, N.Y. State Fin. Law. § 187, et. seq., and for retaliation under 31 U.S.C. § 3730(h);

WHEREAS, in connection with an August 2, 2022 settlement by the United States Attorney's Office for the Western District of New York, Plaintiff filed a stipulation of voluntary dismissal on August 22, 2022, dismissing certain claims, which was docketed as ECF No. 62;

WHEREAS, the Court approved a stipulation as to filing and responding to a Second Amended Complaint on January 4, 2023, which was docketed as ECF No. 64;

WHEREAS, Plaintiff filed a Second Amended Complaint naming defendants 1818 Como Park Boulevard Operating Co., LLC, Elderwood Administrative Services LLC, and Post Acute Partners Management, LLC on January 18, 2023, which was docketed as ECF No. 66;

WHEREAS, Plaintiff filed a Motion for Attorney Fees on April 7, 2023, which was docketed as ECF No. 71;

WHEREAS, Defendant Post Acute Partners, LLC opposed this Motion for Attorney Fees on April 27, 2023, which was docketed as ECF No. 73;

WHEREAS, Defendants 1818 Como Park Boulevard Operating Co., LLC, Elderwood Administrative Services LLC, and Post Acute Partners Management, LLC filed a Motion to Dismiss the Second Amended Complaint on July 14, 2023, which was docketed as ECF No. 86;

WHEREAS, Plaintiff opposed this Motion to Dismiss on August 14, 2023, which was docketed as ECF No. 93;

WHEREAS, on July 15, 2025, the Court granted in part and denied in part Defendants' Motion to Dismiss, dismissing Post Acute Partners Management, LLC as a defendant, and ordering the remaining defendants, 1818 Como Park Boulevard Operating Co., LLC and Elderwood Administrative Services LLC, to answer the Second Amended Complaint within fourteen days, which was docketed as ECF No. 95;

WHEREAS, on July 15, 2025, the Court ordered Defendants 1818 Como Park Boulevard Operating Co., LLC and Elderwood Administrative Services LLC to file a response to Plaintiff's Motion for Attorney Fees by August 15, 2025, which was docketed as ECF No. 96; and

WHEREAS, Plaintiff and Defendants 1818 Como Park Boulevard Operating Co., LLC and Elderwood Administrative Services LLC have conferred and negotiated dates for Defendants to answer, move, or otherwise respond to Plaintiff Jean Nolan's Second Amended Complaint in this matter and to respond to Plaintiff's Motion for Attorney Fees.

IT IS HEREBY ORDERED, upon stipulation by and between the undersigned counsel for Plaintiff and Defendants 1818 Como Park Boulevard Operating Co., LLC and Elderwood Administrative Services LLC, that:

1. On or before September 15, 2025, Defendants 1818 Como Park Boulevard Operating Co., LLC and Elderwood Administrative Services LLC shall answer Plaintiff Jean Nolan's Second Amended Complaint.
2. On or before September 15, 2025, Defendants 1818 Como Park Boulevard Operating Co., LLC and Elderwood Administrative Services LLC shall respond to Plaintiff Jean Nolan's Motion for Attorney Fees.
3. On or before October 15, 2025, Plaintiff shall file any reply in further support of the Motion for Attorney Fees.
6. By entering into this stipulation, neither Plaintiff nor Defendants 1818 Como Park Boulevard Operating Co., LLC and Elderwood Administrative Services LLC waive any claim or defense.

SO ORDERED.

HON. WILLIAM M. SKRETNY
UNITED STATES DISTRICT COURT JUDGE

Stipulated and agreed:

Dated: Montclair, New Jersey
July 28, 2025

/s/ David B. Harrison

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Attorney for Plaintiff Jean Nolan

Dated: Rochester, New York
July 28, 2025

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